

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION**

ANDREA PAIGE BROWNER,

Plaintiff,

V.

**ATHENS-CLARK COUNTY,
*et al.,***

Defendants.

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NO. 3:22-cv-00054-CDL-CHW

ORDER TO SHOW CAUSE

Plaintiff Andrea Paige Browner filed a 42 U.S.C. § 1983 complaint while she was a detainee in the Athens-Clarke County Jail in Athens, Georgia. Compl., ECF No. 1; Recast Compl., ECF No. 7. Plaintiff also filed a request to proceed *in forma pauperis*. Mot. For Leave to Proceed *In Forma Pauperis*, ECF Nos. 2 & 8. That motion was granted, and Plaintiff was ordered to pay an initial partial filing fee of \$7.44. Order, ECF No. 10.

The order for Plaintiff to pay the initial partial filing fee was returned to this Court as undeliverable. Mail Returned, ECF No. 10. Thereafter, Plaintiff filed a notice of change of address, asserting that she had been moved to the Butts County Detention Center in Jackson, Georgia. Notice of Change of Address, ECF No. 13. Upon receipt of that notice, the Clerk's Office forwarded Plaintiff a copy of the order to pay the initial partial filing fee, which gave Plaintiff fourteen days to pay the fee and cautioned Plaintiff that her failure to do so could result in the dismissal of this case. Order, ECF No. 10.

More than fourteen days have now passed since the order to pay the initial partial filing fee was forwarded to Plaintiff. In the interim, she has filed a motion to appoint

counsel and two amended complaints, but she has not paid the initial partial filing fee or otherwise responded to the order for her to do so. Therefore, Plaintiff is now **ORDERED** to **RESPOND and SHOW CAUSE** to the Court why this case should not be dismissed based on her failure to pay the initial partial filing fee. Plaintiff shall have **FOURTEEN (14) DAYS** from the date of this order to respond. Plaintiff's failure to respond will result in the dismissal of this action.

As to Plaintiff's motion for the appointment of counsel, Plaintiff previously filed a motion for the appointment of counsel, which was denied. Order 2, ECF No. 6. In the order denying that motion, Plaintiff was advised that, if it becomes apparent that legal assistance is required to avoid prejudice to Plaintiff's rights, the Court will consider, on its own motion, assisting Plaintiff in securing counsel, such that there is no need for Plaintiff to file additional requests for counsel. *Id.* at 2-3. To date, no such circumstances have arisen. Moreover, in the new motion, Plaintiff has not identified any basis for reconsideration of the order denying the original motion for the appointment of counsel. *See* Mot. for Appointment of Counsel, ECF No. 14. Accordingly, Plaintiff's motion for appointment of counsel (ECF No. 14) is **DENIED**.

There shall be no service in this case pending further order of the Court.

SO ORDERED, this 12th day of October, 2022.

s/ Charles H. Weigle
Charles H. Weigle
United States Magistrate Judge